

1 RENE L. VALLADARES  
Federal Public Defender  
2 Nevada State Bar No. 11479  
NISHA BROOKS-WHITTINGTON  
3 Assistant Federal Public Defender  
411 E. Bonneville, Ste. 250  
4 Las Vegas, Nevada 89101  
(702) 388-6577/Phone  
5 (702) 388-6261/Fax

6 Attorney for Enrique J. Hurtado

7  
8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 United States of America,

11 Plaintiff,

12 v.

13 Enrique J. Hurtado,

14 Defendant.  
15

Case No. 2:08-cr-00102-KJD-LRL

**Joint Stipulation Regarding a  
Reduction in Sentence**

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17 In compliance with Second Amended General Order 2023-09, the parties,  
18 Jason M. Frierson, United States Attorney, and Jim W. Fang, Assistant United  
19 States Attorney, counsel for the United States of America, and Rene L. Valladares,  
20 Federal Public Defender, and Nisha Brooks-Whittington, Assistant Federal Public  
21 Defender, counsel for Enrique Hurtado, file this Joint Stipulation.

22 The parties state as follows:

23 1. Undersigned counsel and government counsel have determined that  
24 Mr. Hurtado qualifies for a sentence reduction under United States Sentencing  
25 Guidelines Amendment 821 and have reached an agreement regarding a proposed  
26 sentencing reduction.

1           2.     Defense counsel has spoken to the defendant. The defendant  
2 consents to the proposed sentencing reduction detailed below. The defendant  
3 waives any right to appear telephonically or in person at a hearing, should this  
4 Court find a hearing is necessary.

5           3.     On December 4, 2008, this Court sentenced Mr. Hurtado to 535  
6 months' incarceration. ECF Nos. 43, 44. On March 30, 2023, this Court reduced  
7 Mr. Hurtado's sentence to 355 months. ECF No. 122. Mr. Hurtado was in CHC IV  
8 with a total offense level of 31, which yielded a sentencing guideline range of 151-  
9 188 months. He was sentenced to the low-end of 151 months on Counts 1, 3, 5-10  
10 to be served concurrently; 84 months on Count 2 to be served consecutive to the  
11 other counts, and 120 months on Count 4 to be served consecutive to the other  
12 counts for a total sentence of 355 months. *See id.* Under the amended Guidelines,  
13 the parties have determined that Mr. Hurtado is in CHC III with a total offense  
14 level of 31 which yields a guideline range of 135-168 months on Counts 1, 3, 5-10.  
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16           4.     Consistent with U.S.S.G. § 1B1.10, the parties are proposing Mr.  
17 Hurtado's sentence be amended to 135 months on Counts 1, 3, 5-10 which would  
18 result in a total sentence of 339 months.

19           DATED this 15th day of August, 2024.

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21           RENE L. VALLADARES  
22           Federal Public Defender

              JASON M. FRIERSON  
              United States Attorney

23           By /s/ Nisha Brooks-Whittington  
24           NISHA BROOKS-WHITTINGTON  
25           Assistant Federal Public Defender

              By /s/ Jim W. Fang  
              JIM W. FANG  
              Assistant United States Attorney

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

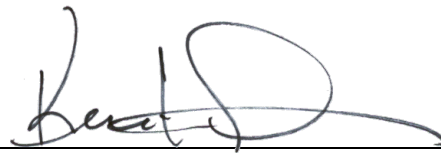
3 United States of America,  
4 Plaintiff,  
5 v.  
6 Enrique Hurtado,  
7 Defendant.  
8

Case No. 2:08-cr-00102-KJD-LRL  
**ORDER**

9  
10 The Court has considered the parties' proposed resolution and the factors  
11 set out in 18 U.S.C. § 3553(a) and under U.S.S.G. § 1B1.10.

12 IT IS THEREFORE ORDERED that the parties' proposed amended  
13 sentence is accepted. Pursuant to Second Amended General Order 2023-09, an  
14 AO247 form reflecting the amended sentence will be filed.

15 DATED this 26 day of August, 2024.

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18 UNITED STATES DISTRICT JUDGE  
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